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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ALEXANDER J. BOOKER, et al, )  
 )  
Defendants. )  
\_\_\_\_\_)

Case 3:05-cr-108-08-JWS

**RESPONSE TO COURT ORDER ON BEHALF OF DEFENDANT**  
**ALEXANDER J. BOOKER REGARDING DISCOVERY AND PLANNING**

Undersigned counsel for Defendant Alexander J. Booker submits this response to the court's order of December 23, 2005.

1. The suggestion for interim payments is reasonable and appropriate under the facts of this case.

2. The sharing of resources and interim payments for CJA-21 vender services is reasonable and appropriate.

3. At this juncture, there appears to be a voluminous amount of discovery for review, especially in the areas of audio and video CDs. To facilitate this review process, the government forwarded to IMIG Audio/Video CDs for duplication. This has initially been completed at the cost of \$242 for each attorney.

*RESPONSE TO COURT ORDER ON BEHALF OF DEFENDANT ALEXANDER J. BOOKER REGARDING DISCOVERY AND PLANNING*

*United States of America v. Alexander J. Booker, et al*  
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If there exists a less expensive manner to disseminate discovery, it should be utilized. IMIG has refused to use the CJA-21 vouchers.

4. Counsel does not oppose Scott Dattan as lead counsel in this manner should he desire this undertaking. He has done a fine job in the past in this position on other cases.

5. Until the issue of a joint defense agreement has been resolved, particularly in reference to the wire taps, I do not know if it is possible to utilize the same investigator due to potential conflict.

6. At this time, I have not had sufficient time to review discovery to identify any such problems or issues.

7. I have been informed by FPD Rich Curtner that space could be made available for storage, duplication, and distribution of discovery at their office. This would significantly reduce individually incurred costs.

8. If the FPD's office is used as the central depository, and a discovery coordinator is appointed, then an index could be created and discovery distributed electronically to defense counsel.

9. Scheduling travel in advance would make planning easier as well as reducing overall costs.

\* \* \*

1. With respect to the preparation of a service list, electronic filing is now online and operational with the court. Counsel for Mr. Booker has enrolled in this, and the e-mail address is [jpharr@gci.net](mailto:jpharr@gci.net) as the primary address. The secondary e-mail address is [alaskarecipes@hotmail.com](mailto:alaskarecipes@hotmail.com).

2. With a trial date in June 2006, and with the discovery made available to date, a pretrial motions deadline of March 15, 2006 or April 1, 2006 appears appropriate.

3. Indexing of all documents by Bates numbers is useful and beneficial. The U.S. Attorney's Office has been utilizing this method thus far in this matter on discovery received to date.

4. Mr. Booker does not need the services of an interpreter.

5. Expert witness may be necessary. Any time limit imposed should be generous enough to take into account the limited personnel resources available to most criminal defense practitioners, in particular CJA appointed counsel.

6. The court's suggestion regarding discovery costs is reasonable and appropriate.

7. The Federal Defender has volunteered the use of some space for this purpose.

8. It is too early for counsel to take a position at this juncture.

In conclusion, no lead counsel for the case of CJA counsel has stepped forward at the time of this writing. Undersigned counsel has spoken with several of the attorneys involved, but a final decision of lead counsel has not yet been made.

DATED at Anchorage, Alaska, this 12<sup>th</sup> day of January 2006.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on  
January 12, 2006, a copy of  
*Response to Court Order on  
Behalf of Defendant Alexander  
J. Booker Regarding Discovery  
and Planning* was served  
electronically upon:

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